

Anticipated Classification
of this Application:
Class _____ Subclass _____

Prior Application:
Examiner Shanon Foley
Group Art Unit 1648

Attorney's
D cket
No. 2048/57906-E/JPW/MAF

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

January 23, 2004

S I R:

This is a request for filing a X CONTINUATION

 DIVISIONAL CONTINUATION-IN-PART application under

 X 37 C.F.R. §1.53(b) 37 C.F.R. §1.53(d), of pending prior application

Serial No. 09/594,983 filed on June 15, 2000 of

William C. Olson and Paul J. Maddon for
inventor(s)

SYNERGISTIC INHIBITION OF HIV-1 FUSION AND ATTACHMENT, COMPOSITIONS AND ANTIBODIES THERETO
Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. X A verified statement to establish small entity status under 37 C.F.R. §1.9 and 1.27
 is enclosed.
 X was filed in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	NUMBER FILED		NUMBER EXTRA*		RATE		FEE	
					SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	31-20	=	11	X	9	18	= \$ 99	\$
Independent Claims	3-3	=	0	X	43	86	= \$ 0	\$
Multiple Dependent Claims Presented: <u> X </u> Yes <u> </u> No					145	290	= \$ 145	\$
					BASIC FEE		\$ 385	\$ 740
					TOTAL FEE		\$ 629	\$

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

¹ filing an application pursuant to this section expressly aband ns the parent application.

16834 U.S.PTO
10/763545



012304

- X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.
- X Any additional filing fees required under 37 C.F.R. §1.16.
- X Any patent application processing fees under 37 C.F.R. §1.17.
- The issue fees set forth in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. §1.311(b).
5. X Three copies of this sheet are enclosed.
6. X A check in the amount of \$ 629.00 is enclosed.
7. Cancel claims .
8. Amend the specification by inserting before the first line the sentence: --This is a continuation division of application Serial No. , filed ---
9. X 11 Sheet(s) of informal X formal drawing(s) is/are enclosed.
10. Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
11. Priority of application No. filed on in (country) is claimed under 37 U.S.C. §119.
- The certified copy of the priority application has been filed in prior application Serial No. , filed .
12. X The prior application is assigned of record to Progenics Pharmaceuticals, Inc.
13. X A preliminary amendment is enclosed.
14. X The power of attorney in the prior application is to:

John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Paul Teng (Reg. No. 40,837); Richard F. Jaworski (Reg. No. 33,515); Alan J. Morrison (Reg. No. 37,399); Mark A. Farley (Reg. No. 33,170); Pedro C. Fernandez (Reg. No. 41,741); Gary J. Gershik (Reg. No. 39,992); Alan D. Miller (Reg. No. 47,889); Frank Bruno (Reg. No. 46,583); and Christin M. Nickles (Reg. No. 51,103)

- (a) X The power appears in the original papers in the prior application.
- (b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) X Address all future communications to:
(May only be completed by applicant,
or attorney or agent of record.)

John P. White

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

15. X Also enclosed is: Express Mail Certificate of Mailing No. EV 305 641 962 US, dated January 23, 2004; recorded Assignment from Serial No. 09/594,983; Verified Statement (Declaration) claiming Small Entity Status filed in Serial No. 09/594,983; additional set of Figures.

16. X I hereby verify that the attached papers are a true copy of prior application Serial No. 09/594,983 as originally filed on June 15, 2000.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

January 23, 2004

Date

Mark A. Farley

Signature John P. White (Reg. No. 28,678)

Mark A. Farley (Reg. No. 33,170)

 INVENTOR(S)

 ASSIGNEE OF COMPLETE INTEREST

 X ATTORNEY OR AGENT OF RECORD

 FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator:

Cooper & Dunham LLP

1185 Avenue of the Americas

New York, New York 10036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: William C. Olson and Paul J. Maddon

Serial No.: Not Yet Known (Continuation of Application
Serial No.: 09/594,983 filed
June 15, 2000)

Filed : Herewith

For : SYNERGISTIC INHIBITION OF HIV-1 FUSION AND
ATTACHMENT, COMPOSITIONS AND ANTIBODIES THERETO

1185 Avenue of the Americas
New York, New York 10036
January 23, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE OF
MAILING FOR ABOVE-IDENTIFIED APPLICATION**

"Express Mail" mailing label number: EV 305 641 962 US
Date of Deposit: January 23, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. '1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Printed Name: Samuel Phub
Samuel Phub

Respectfully submitted,

Mark A. Farley
John P. White

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